

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HASSAN ELANANY,	:	CIVIL NO. 1:16-CV-1989
	:	
Petitioner	:	(Chief Judge Conner)
	:	
v.	:	
	:	
CRAIG A. LOWE, <i>et al.</i>,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 2nd day of May, 2017, upon consideration of the petition for writ of habeas corpus, and for the reasons set forth in the court's memorandum of the same date, IT IS HEREBY ORDERED THAT:

1. The petition for writ of habeas corpus (Doc. 1) is GRANTED in part to the extent that Elanany will be afforded an individualized bond hearing.
2. An Immigration Judge shall afford Elanany an individualized bond hearing within fourteen (14) days of the date of this order.
3. At the bond hearing, the Immigration Judge must make an individualized inquiry into whether detention is still necessary to fulfill the purposes of ensuring that Elanany attends removal proceedings and that his release will not pose a danger to the community. Chavez-Alvarez v. Warden York Cnty. Prison, 783 F.3d 469, 475 (3d Cir. 2015). At this hearing, the Government bears the burden of presenting evidence and proving that continued detention is necessary to fulfill the purposes of the detention statute. Diop v. ICE/Homeland Sec., 656 F.3d 221, 233 (3d Cir. 2011).

4. Within ten (10) days of the Immigration Judge's hearing, respondent shall report to the District Court on the outcome of the individualized bond hearing.
5. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania